

Asheville-Buncombe Historic Resources Commission Meeting
Minutes of February 11, 2015
1st Floor North Conference Room - City Hall
4:00 p.m.

Present: Chair Brendan Ross; David Carpenter, Nan Chase, William Eakins, Richard Fast, Bryan Moffitt, Tracey Rizzo and Amanda Warren

Absent: Woodard Farmer, David Nutter and Joanne Stephenson

Administrative

- Mr. Fast moved to approve the minutes of the January 14, 2015, meeting. This motion was seconded by Ms. Chase and carried unanimously.
- Historic Resources Director Stacy Merten introduced Ms. Alexandra Cole who will be working with her.
- All those present in the audience and staff who anticipated speaking were sworn in.

Consent Agenda

1. Certificate of Appropriateness - 20 Watauga Street - Addition of New Window Opening on Rear Elevation

Owner/Applicant:	Rhett Mays
Subject Property:	20 Watauga Street
Hearing Date:	February 11, 2015
Historic District:	Montford
PIN:	9639.94-6268
Zoning District:	RM-8

Property Description: J. A. Richbourg House. Early 20th century two-story, symmetrical vernacular dwelling. Central projecting gable, wide porch, Montford brackets, sawn eaves, molded trim. 1910-1917

Certificate of Appropriateness Request: Insertion of three new window openings on rear elevation of the house to match existing in size, height, and materials as available. Windows will be 6 over 6 or 6 over 1 wooden sash, double-hung, as are currently in place on that level of the house. If salvage windows of appropriate dimensions and materials can be found these will be used, otherwise new windows will be purchased. If single-pane salvage windows are used then white framed exterior storm windows will also be inserted. Upper and lower window sashes will measure approximately 34 ½" wide by 27 ¼" tall to match existing windows. Two of the new window openings will be located along the southeast corner of the house at the basement level. The third window will be inserted toward the southwest corner of the house where a small casement window currently exists, also at the basement level. A fourth window will also be inserted along the basement level where a window opening previously converted to a door currently exists. A pair of large plywood doors on the east elevation facing Danville St. will be replaced with an insulated wooden door with two six-light inset windows, appropriate metal hardware, and will be stained to match existing house colors. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:

Staff had no concerns.

The guidelines for Windows and Doors found on pages 84-85 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010 and amended August 2013 were used to evaluate this request.

Staff Recommendation: Staff recommends approval of the request for the following reasons: (1) Additional window openings are being installed on a rear or non character defining façade of the building; (2) Additional windows are compatible with the structure; and (3) Replacement door is compatible in design and historic character of the building.

ADOPTION OF FINDINGS OF FACT

Based upon the evidence presented to this Commission, including Exhibit A – 6 photos of exterior of building (3 pages); Exhibit B – drawing of rear elevation exhibiting proposed window configuration; Exhibit C – floor plan drawing exhibiting proposed window configuration; Exhibit D – site plan; Exhibit E – drawing of proposed door with material details; Exhibit F - cut sheet for proposed door hardware; Exhibit G and the Commission's actual inspection and review of subject property by all members, it was the consensus of the Commission to adopt following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 28th day of January 2015, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 27th day of January 2015 as indicated by Exhibits (H) and (I).
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to: Insertion of three new window openings on rear elevation of the house to match existing in size, height, and materials as available. Windows will be 6 over 6 or 6 over 1 wooden sash, double-hung, as are currently in place on that level of the house. If salvage windows of appropriate dimensions and materials can be found these will be used, otherwise new windows will be purchased. If single-pane salvage windows are used then white framed exterior storm windows will also be inserted. Upper and lower window sashes will measure approximately 34 ½" wide by 27 ¼" tall to match existing windows. Two of the new window openings will be located along the southeast corner of the house at the basement level. The third window will be inserted toward the southwest corner of the house where a small casement window currently exists, also at the basement level. A fourth window will also be inserted along the basement level where a window opening previously converted to a door currently exists. A pair of large plywood doors on the east elevation facing Danville St. will be replaced with an insulated wooden door with two six-light inset windows, appropriate metal hardware, and will be stained to match existing house colors. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Windows and Doors found on pages 84-85 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010 and amended August 2013 were used to evaluate this request.
5. This application does meet the design guidelines for the following reasons:
 1. Additional window openings are being installed on a rear or non character defining façade of the building.
 2. Additional windows are compatible with the structure.
 3. Replacement door is compatible in design and historic character of the building.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness are compatible with the historic aspects and character of the Montford Historic District.

As there was no objection to the 20 Watauga Street Certificate of Appropriateness being placed on the Consent Agenda, the FINDINGS OF FACT were adopted and Certificate of Appropriateness was issued.

Public Hearings

1. **Certificate of Appropriateness - 23 Short Street - Replacement of Wooden Fence in the Front Yard**

Owner/Applicant: Ben Survant
Subject Property: 23 Short Street
Hearing Date: February 11, 2015
Historic District: Montford
PIN: 9649.210-5870
Zoning District: RM-8

Historic Resources Director Stacy Merten said that she notified the applicant of this hearing and has left numerous voice-mail messages and an e-mail message; however, he is not present. She suggested the Commission continue the hearing until their March meeting and she would try again to make contact.

Ms. Chase moved to continue this item until the March 11, 2015, meeting. The motion was seconded by Mr. Moffitt and carried unanimously.

2. **Certificate of Appropriateness - 16 Cherokee Road - Expansion of Parking Area**

Owner/Applicant: Jay Remsburg
Subject Property: 16 Cherokee Road
Hearing Date: February 11, 2015
Historic District: Albemarle Park
PIN: 9649.64-7798
Zoning District: RS-4

Historic Resources Director Stacy Merten showed pictures of the subject property and reviewed the following staff report:

Property Description: The Willows is a two-story Colonial-Revival house of three bays with French doors flanking the central entrance. Three arched dormers pierce the roof and the house is faced with grey stucco. There is currently a pending zoning violation on the property which must be resolved before any permits may be released.

Certificate of Appropriateness Request: Remove the non-original rear patio and extend the stone driveway approximately 18' x 18' to add two parking spaces behind the house. Extend the existing stone wall with material stone and style to the match existing wall. New gravel will be grey in color to match existing. Install 12, 1 gallon rhododendron along the driveway and in a naturalized form along the rear elevation. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:

Staff had no concerns; however, she asked that the landscape along the driveway in the rear be more naturalized than the straight line shown on the plan.

The guidelines for Repair and Remodeling Work found on page 23, Landscaping found on page 36, and the General Principles for Historic Rehabilitation found on page 12 with reference to #1 and #2, and #8 of the Architectural Design Guidelines for Albemarle Park were used to evaluate this request.

Staff Recommendation: Staff recommends approval of the request for the following reasons (1) The distinguishing original properties of the site are retained; (2) The existing patio is not an original historic landscape feature; (3) The extended wall will match the existing in type, scale, texture and finish; and (4) Rhododendron is in keeping with the original landscape plan for the district.

Ms. Merten said that she received a letter from Ms. Jane Gianvito Mathews, a long-time resident of the Albemarle Park Local Historic District, expressing her opposition to the request to expand the parking at 16 Cherokee Road. Ms. Mathews felt the proposed expansion would potentially increase the amount of parking to accommodate as many as 3-4 cars. The new proposed parking space, in combination with the old parking area, would be greater than needed for a single-family home. With the history of illegal use of this property for short-term vacation rental, this expansion plays into accommodating the continued illegal use for a non-zoned purpose. In addition, she felt that a large area of graveled parking is not compatible with the intent of Samuel Parson's landscape plan and its relationship close to the rear of the house would diminish the characteristic flow of indoor to outdoor spaces found in most of the Albemarle Park Cottages. In her opinion, the Commission should not encourage expansion of parking greater than needed for a home, and should limit non-vegetative areas that take away from the intent of this planned residential park.

Ms. Merten said there is an outstanding zoning violation on the property but legal staff has advised the HRC to move forward with the hearing on the Certificate of Appropriateness; no permits will be issued until after the zoning violation is resolved.

In response to Mr. Moffitt regarding Ms. Mathews' concern about the size of the parking area and the relationship close to the rear of the house, Ms. Merten said there are no specific references in the design guidelines regarding landscaping.

Mr. Fast felt that moving the vehicles from the street to behind the house would make the house more attractive from the front.

Mr. Carpenter noted that in some places in Albemarle Park the rear of the house is visible and in the past that has been an issue, but in this case, he felt the parking behind the house is not visible.

Ms. Ross felt the applicant needs the parking for a single-family home.

Mr. Jay Remsburg, contractor for the applicant, said that the area behind the house is big enough for one car, so they are basically extending the area so two cars can park in the rear. If two cars are parked behind the house, one is partially parked on the neighbor's property. He felt that both cars will be able to back up and turn around on their own property. They will match the gravel and they will continue with the existing grade pitch. He will naturalize the landscaping with additional rhododendrons.

In response to Mr. Moffitt, Mr. Remsburg said they will not have to interrupt the grading or drainage.

Chair Ross opened the public hearing at 4:14 p.m.

Ms. Amanda Alford, adjoining property owner at 18 Cherokee Road, said that while they do appreciate the efforts that may be being made to prevent access onto their property, they don't believe this plan will benefit them, because of the current use at the house - a full-time vacation rental. She said there is actually room for two cars, but one of the spots is on their property. In the past, they have given the owner at 19 Cherokee Road the rights to use that property so they could park two cars. However, since the house turned into a full-time vacation rental, they have experienced problems with renters and parking and revoked the owner's right to use the second parking spot. They are now concerned about the size of the proposed

parking area because it's akin to building a parking lot creating room for possibly six cars. While they appreciate the owner would only like to have two cars in the rear, he lives in Florida and the renters bring all their cars into the rear.

Chair Ross closed the public hearing at 4:17 p.m.

Assistant City Attorney Jannice Ashley explained that the violation concerns renting the property for periods of less than 30 days, which is prohibited in residential areas. The Planning & Zoning Department has issued another notice of violation and that is yet to be resolved. If they don't stop the violation or submit an affidavit, they will be fined. It was her opinion that these are two separate issues. She said the Historic Resources Commission's purview is to determine whether a design meets the historic guidelines or not.

Ms. Merten said that the Commission can decide to rule on this or continue the matter until the zoning violation is resolved. She said the applicant will need a single-family zoning permit for expansion of the parking area and will probably require a waiver for a grading permit. And, she reiterated that even if the Commission were to approve the Certificate of Appropriateness, the Certificate of Appropriateness would not be released and no permits would be issued until the zoning violation is resolved.

Mr. Remsburg said that the single-family permit was released, pending resolution of the zoning violation, and there was no issue with grading.

At Ms. Rizzo's request, Ms. Merten read portions of the design guidelines related to Ms. Mathews' concerns and explained why staff did not have any concerns regarding these design guidelines.

Mr. Carpenter felt it was important that the Commission view this from a design standpoint and not a zoning issue. Even though he was sympathetic to the neighbor, it seems that the applicant is making an attempt to mitigate the problem and stay away from the neighbor's property. He did not see where this application is inconsistent with the guidelines.

Mr. Moffitt agreed that this application is not inconsistent with the guidelines, or Albemarle Park as it has somewhat adapted over time. He noted that there is currently a paved area that will remain a non-contributing paved area at the rear of the house, using materials consistent with Albemarle Park and not doing anything outlandish for a single-family house. He felt that two spaces are reasonable for a single-family home.

In response to Ms. Chase, Ms. Merten said that this does not go into effect unless the zoning violation is resolved. She reiterated that permits, variances, or approvals as required by law must be obtained before work may commence.

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – site plan; Exhibit B – site survey of subject property with proposed work; Exhibit C – site survey showing subject property with proposed work and adjacent property; Exhibit D – site survey of subject property; Exhibit E – 2 photos of subject property; and Exhibit F - Letter from Jane Mathews; and the Commission's actual inspection and review of subject property by all members; Mr. Carpenter moved that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 28th day of January 2015, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 27th day of January 2015 as indicated by Exhibits (G) and (H)
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.

3. That the application is to: Remove the non-original rear patio and extend the stone driveway approximately 18' x 18' to add two parking spaces behind the house. Extend the existing stone wall with material stone and style to match existing wall. New gravel will be grey in color to match existing. Install 12, 1 gallon rhododendron along the driveway and in a naturalized form along the rear elevation. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Repair and Remodeling Work found on page 23, Landscaping found on page 36, and the General Principles for Historic Rehabilitation found on page 12 with reference to #1 and #2, and #8 of the Architectural Design Guidelines for Albemarle Park were used to evaluate this request.
5. This application does meet the design guidelines for the following reasons:
 1. The distinguishing original properties of the site are retained.
 2. The existing patio is not an original historic landscape feature.
 3. The extended wall will match the existing in type, scale, texture and finish.
 4. Rhododendron is in keeping with the original landscape plan for the district
 5. That the action and improvements proposed in the application before us for a Certificate of Appropriateness are compatible with the historic aspects and character of the Albemarle Park Historic District.
 6. Reasonable size for a single-family residence.
 7. Location behind the house is not visible from the street due to the configuration of the lot.

This motion was seconded by Ms. Chase and carried on a 7-1 vote, with Mr. Eakins voting "no."

Based upon the foregoing FINDING OF FACT and for the reasons set forth therein, Mr. Carpenter moved that a Certificate of Appropriateness be issued. This motion was seconded by Ms. Warren and carried on a 7-1 vote, with Mr. Eakins voting "no."

Preliminary Review: None

Other Business

Historic Preservation Master Plan

Historic Resources Director Stacy Merten asked that the Commission review the copy of the draft Historic Preservation Master Plan and provide her with comments by the end of February. She will incorporate the comments into the draft Plan and have it available for the Commission to consider at their March meeting. She said that the Plan will be reviewed again by the Planning & Zoning Commission, the Downtown Commission and the City Council Planning & Economic Development Committee, prior to consideration by City Council. She will also invite the Advisory Committee to the March meeting to hear the Commission's discussion.

Preliminary Local Landmark Application Discussion for Castanea Building

Historic Resources Director Stacy Merten said that the Landmark Committee reviewed the Castanea Building and had a follow-up meeting. She then provided the Commission with a brief synopsis of that meeting, which is to ask the applicant to add a stronger statement on the special significance of the property with emphasis on the building contributing to the commercial development of Asheville. Ms. Merten felt it was important to have this information at this preliminary stage before the Commission makes a recommendation that the application move forward. It was her opinion that the Committee was concerned that the association with the architect and the architecture alone were not enough to meet special significance, but that there may be a better case to be made as far as Haywood Road being a commercial center of Asheville and that perhaps no other potential landmark structures represent that aspect of development.

Ms. Chase said that the continuous role in that commercial district from the time it was built to the present was well documented, but she felt there should be more context of the Haywood Road block as part of the commercial district.

When Chair Ross noted that the Committee also discussed the changes to the façade, Ms. Merten said that ultimately the Commission will need to find that the building has special significance and integrity. If the Commission feels that either/or of these are not going to be sufficient, then there is no point to recommend they go forward with the full report.

There was a short discussion regarding the changes to the facade and whether or not the building has special significance.

Ms. Sybil Argintar, drafter of the preliminary application, addressed the Commission's concern about the integrity of the building. She said the covering of the façade is applied to the front of the brick and is removable. She said that three out of the four storefronts are very intact in configuration and in original materials. That is unique to this building. She felt that the National Register might have some issue with a single storefront with a covered façade, but what they mainly look at the most is whether the upper façade of the building has changed. In this case, three out of the four storefront upper facades are original. She said there is a lot of precedent where the covered façade would not be considered as a loss of integrity. She asked for clarification of what the Commission is looking for in the area of commercial special significance.

There was discussion regarding whether the commercial special significance should be for all of downtown, which would include the Haywood Road corridor.

Ms. Argintar read a letter from the owners of the property known as the Castanea Building who voiced their unanimous support of the landmark designation for the building.

Mr. Eakins suggested a significance point might be the adaptation to topography and the creativity that has gone into that especially in the back.

In response to Ms. Argintar, Ms. Merten said that whenever the preliminary application is revised, she would present it to the Commission for consideration.

Owners of Jewels that Dance, tenants of the Castanea Building, said that they renovated the façade in 1997. Behind that façade was not the original storefront on those two spaces. She believed it was changed in the 1950's. There is nothing left of the original building near the street. If it should ever be renovated it could be brought back to the original look, but she didn't know when the original look was lost. She said that she would be happy to provide pictures of the façade prior to 1997.

In response to Chair Ross, Ms. Merten said that it is possible to get an historic easement for a commercial building. If the landmark designation does not work out, if the applicant wants the building to remain as is, there are other options, including the Notable Properties Program.

Ms. Carol Lytle, one of the original owners of the Castanea Building, said that they want their building to remain intact, even though a little of their building has changed. When you walk inside the building it has the original tiles, windows, etc. They want to protect the building which is so rich in history.

Ms. Patti Glazer spoke in support of the landmark designation agreeing with Ms. Lytle of all the original features, especially in the interior of the building.

Ms. Merten said that the Commission is asking that the applicant elaborate a little more in their preliminary application about special significance and once that information is received, the Commission will discuss it again before they make a recommendation on whether the applicant should move forward with the full nomination. She also noted that the Commission would be interested in seeing the historic photos,

some existing photos, and perhaps one or two of the interior significant features as part of the preliminary application.

Assistant City Attorney Jannice Ashley noted that generally the Historic Resources Commission does not have jurisdiction over protecting the interior, but if the intact interior becomes a part of why it is significant the Commission can, if the owners agree to make the interior a part of the landmark. But, the owners would have to be clear on which features would have to be preserved and then they are binding any future owners to keeping that interior intact as well.

Committee Reports

Historic Resources Director Stacy Merten said that in the future she will be the staff person for the Education Committee and Alexandra Cole will be the staff person for the Landmark Committee.

Comments from Commissioner, Public and Staff

1. Asheville Historic Center at the Smith-McDowell House

Historic Resources Director Stacy Merten said that Ms. Ali Mangkang, Director of the Asheville Historic Center at the Smith McDowell House, has asked the Commission to submit an application on her behalf for a CLG grant. Ms. Mangkang is asking for an endorsement from the Commission of their project and with the staff moving forward with that grant application. The deadline is February 27, 2015. The CLG process allows the City to consider a third-party application. The Smith-McDowell House is a local landmark and the Commission would have to issue a Certificate of Appropriateness for the repair work.

Ms. Mangkang gave a brief background of the Smith-McDowell House. She asked for the Commission's support for a grant application since there has not been any major significant structural repairs since the original restoration. As a non-profit their budget is limited and since there have been no repairs over the years they are now faced with needed repairs to the historic tile roof which is causing water damage throughout the different rooms of the house, especially their collection stored in the attic. The estimated cost of that project is \$23,000. A condition of the grant is that they secure at least a 40% cash match for the funding. She has been working with A-B Tech, who owns the house, to see if they will support the cash match. She is hopeful that between the money that A-B Tech will be willing to contribute as a cash match and some private donations that they can meet that condition.

Ms. Merten said that in the past when the City has applied for a CLG grant, they didn't have to have the cash match before applying for the grant. The SHPO normally make their determination in April, so Ms. Mangkang can continue to raise the additional funding. She'd be happy to call them. She did recommend to the Commission that they support this application.

In response to Ms. Moffitt, Ms. Merten said that she felt the most the grant would be is \$15,000. A-B Tech would have to contribute \$9,000.

In response to Ms. Rizzo, Ms. Merten said that one of the requirements encourage the Commission to be supportive of the grant.

In response to Ms. Mangkang, Ms. Merten said that she would have to clarify with the SHPO the alternatives of how the grant would be administered. Those details will be worked out later.

When Mr. Moffitt asked why A-B Tech didn't fix the building since they own it, Ms. Mangkang explained it was her understanding that based on their agreement with A-B Tech when Smith-McDowell undertook the restoration of the house, that they would be responsible for upkeep of the house. Historically every year they receive a small amount (\$10,000) to help cover some utilities, pest control and fire code issues, but have not received any major financial support from them in terms of structural repairs or capital improvements at this point.

Mr. Moffitt moved that the Historic Resources Commission adopt a resolution supporting the Historic Resources Director working with the Asheville History Center at the Smith-McDowell House to develop the CLG grant application for the roof and other structural repairs of the Smith-McDowell House. This motion was seconded by Ms. Chase and carried unanimously.

2. Patton Parker House - Charlotte Street

Historic Resources Director Stacy Merten said that there is someone interested in entering into a contract to purchase the Patton Parker House on Charlotte Street. There has been some interest about adding a structure on that site and the Commission may be seeing an application in that regard.

3. Mayor's Development Task Force Report

Mr. Moffitt said that he will be presenting the Mayor's Development Task Force Report to the City Council Planning & Development Committee, prior to it being presented to City Council.

4. Thomas Wolfe Cabin

Mr. Carpenter said that he would again ask Mr. Jack Thomson to provide the condition report on the Thomas Wolfe cabin.

Adjournment

At 5:40 p.m., Mr. Moffitt moved to adjourn the meeting. This motion was seconded by Mr. Eakins and carried unanimously.